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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 05-0727 JF
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
13 v.)	[PROPOSED] ORDER
)	
14 SERGIO FIGUEROA CASTANEDA,)	
)	
15 Defendant.)	
_____)	

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17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Wednesday, July 26, 2006, at 9:00 a.m., be continued to Wednesday, September 13, 2006, at
20 9:00 a.m. The continuance is requested because an attorney retained by Mr. Figueroa's family in
21 related proceedings is awaiting a ruling on his motion to vacate or modify the state conviction
22 that rendered Mr. Figueroa deportable.

23 The parties further agree that time should be excluded under the Speedy Trial Act until
24 the next hearing of this matter because the defense requires time for investigation and
25 preparation, and because both counsel will be out of the office during parts of August and
26 September, so that the ends of justice outweigh the defendant's and the public's need for a

1 speedy trial.

2 Dated: 7/25/06

_____/s/_____
LARA S. VINNARD
Assistant Federal Public Defender

4 Dated: 7/25/06

_____/s/_____
SUSAN KNIGHT
Assistant United States Attorney

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E-filed 8/2/06

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION


9 UNITED STATES OF AMERICA,) No. CR 05-0727 JF
10)
11 Plaintiff,) **[PROPOSED] ORDER CONTINUING**
12 v.) **HEARING AND EXCLUDING TIME**
13)
14 SERGIO FIGUEROA-CASTENADA,)
15)
16 Defendant.)
17)
18)
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14 The parties have jointly requested a continuance of the hearing set for June 28, 2006, on
15 grounds that the defense is awaiting a ruling in state court with respect to a state conviction that
16 rendered Mr. Figueroa deportable. In addition, both counsel will be out of the office during parts
17 of August and September.

18 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
19 presently set for July 26, 2006, be continued to September 13, 2006, at 9:00 a.m.

20 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
21 from July 26, 2006, to September 13, 2006, shall be excluded from the period of time within
22 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

23 Dated: 8/2/06

24 
25 JEREMY FOGEL
26 United States District Judge